# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---|---|---|---|
| 10/079,844 | 02/22/2002 | Norio Tanaka | 122.1492 | 7542 |

21171          7590          04/18/2006

STAAS & HALSEY LLP
SUITE 700
1201 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005

| EXAMINER |
|---|
| THAI, CANG G |

| ART UNIT | PAPER NUMBER |
|---|---|
| 3629 | |

DATE MAILED: 04/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

| | Application No. | Applicant(s) |
|---|---|---|
| **Office Action Summary** | 10/079,844 | TANAKA, NORIO |
| | Examiner | Art Unit |
| | Cang G. Thai | 3629 |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *21 November 2005*.

2a)☐ This action is **FINAL**.    2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-8* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-8* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All    b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

## DETAILED ACTION

### *Response to Amendment*

1.      Applicant's request for reconsideration of the finality of the rejection of the last

Office action is persuasive and, therefore, the finality of that action is withdrawn.

### *Claim Rejections - 35 USC § 101*

2.      35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of
> matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the
> conditions and requirements of this title.

3.      Claims 1-3 are rejected under 35 U.S.C. 101 because the claim of invention is

directed to non-statutory subject matter.

Computer Programs not claimed as embodied in computer readable media

(defined as "a collective word for the physical material, such as paper, disk, and tape,

used for storing computer-based information", Microsoft Press, Computer Dictionary,

Second Edition, © 1994) are descriptive material per se and are not statutory because

they are neither physical "things" nor statutory processes.  Such claimed data structures

do no define any structural and functional interrelationships between the data structure.

See MPEP 2106(IV)(B)(1)(a).

Also, the claims do not recite that the computer program product comprises a

computer readable medium having computer readable program instructions or code

embodied thereon and configured to control a computer to perform specific functional

steps.  The lack of recitation of any specific computer or computer implemented device

results in a claim that recites functionally descriptive material (defined as "data

structures and computer programs with impart functionality when encoded on a

computer readable medium" by the Computer-Implemented Invention Guidelines)

without any interrelationships between the data structure and other aspects of the

invention that would permit the data structure's functionality to be realized.

### *Claim Rejections - 35 USC § 112*

4.      The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter, which the applicant regards as his invention.

5.      Claims 1, 4, 7 and 8 recite the limitation "the guests", "the registration", "the

account", "the check-out", "the attributes of the services", "the availabilities of the hotel

facilities", and "the guest's own attributes" in a service management system for a hotel

facility.  There is insufficient antecedent basis for this limitation in the claim.

6.      Claims 1-3 are rejected under 35 U.S.C. 112, second paragraph, as being

indefinite for failing to particularly point out and distinctly claim the subject matter which

applicant regards as the invention.  It appears that the applicant is claiming a lodging

management system in a program.  Is it a program or a system applicant is trying to

claim?

7.      Claims 2 and 5 recite the limitation "the case" and "the hotel charge" in a service

management system for a hotel facility.  There is insufficient antecedent basis for this

limitation in the claim.

8.      Claims 3 and 6 recite the limitation "the indicating devices", "the lobby" and "the

home page" in a service management system for a hotel facility.  There is insufficient

antecedent basis for this limitation in the claim.

## *Claim Rejections - 35 USC § 102*

9.      The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

10.     Claims 1-8 are rejected under 35 U.S.C. 102(b) as being anticipated by US

Patent Application Publication No. 2003/0208386 (BRONDRUP).

As for claim 1, BRONDRUP discloses a service management program for hotel

facilities, which operates in conjunction with a lodging management system for the

management of information about the guests of the hotel from the registration at the

check-in to the account at the check-out, the program executing:

a room number input step of obtaining and inputting the room number of a guest

when the guest visits the hotel facility {Page 4, Paragraph [0061], Lines 3-6, wherein

this reads over "The WAP hotel room reservation service may, upon or in conjunction

with confirmation of the reservation, send a message to the phone, including the hotel

room number"};

a lodging management system conjunction step of transmitting the room number

of the guest to a lodging management system to obtain the information about the guest

concerned {Page 4, Paragraph [0061], Lines 6-9, wherein this reads over "even before

the arrival at the hotel, the customer may know which room he/she has been assigned,

and is then able go directly to the room without having to make a check-in at the

reception desk of the hotel"}; and

a service indication step of comparing a service management table for the

management of the attributes of the services of the hotel facilities and for the

management of the availabilities of the hotel facilities, with the guest's own attributes in

the information about the guest which has been obtained from the lodging management

system, and of indicating a service suitable for the guest's attributes {Page 4, Paragraph

[0052], Lines 3-6, wherein this reads over "Using a wireless application reservation

service for flight tickets combined with the use of the Bluetooth technology, the

customer will not need a flight ticket, and the Bluetooth phone could even be the

"boarding pass" letting the traveler through the boarding gate of an airport"}.

As for claim 2, BRONDRUP discloses the service management program for hotel

facilities as set forth in claim 1 further executing an account-with-hotel-charge step of

transmitting the room number of the guest obtained when the guest visits the hotel

facility, in the case in which the facility charge is paid with the hotel charge at the check-

out, to the lodging management system with the data of the facility charge to be paid

with the hotel charge {Page 2, Paragraph [0026], Lines 31-43, wherein this reads over

"for user check-out from the hotel, the additional steps of a user, by means of the mobile

terminal, connecting to a hotel search and reservation/booking server, and, while

connected to the hotel search and reservation/booking server, communicating to the

hotel reservation/IT system a check-out request, receiving therefrom bill information,

sending thereto a bill acceptance, receiving from a payment server a payment

authorization request, sending thereto a payment authorization response, and by the

hotel reservation/IT system, upon receiving a payment verification, sending a key token

deactivation message to the door lock associated wireless device of the reserved room"}.

As for claim 3, BRONDRUP discloses the service management program for hotel facilities as set forth in claim 1 further executing a facility information transmission step of transmitting the service availability information about the hotel facility to the indicating devices in the guest rooms and the lobby, and to the home page of the hotel, from the service management table of the hotel facility {Page 2, Paragraph [0026], Lines 21-30, wherein this reads over "transmitting from the hotel reservation/IT system the key token to a wireless device associated with a door lock of the reserved hotel room, and, upon arrival at the hotel of the user carrying the mobile terminal, wirelessly, by means of the wireless device of the mobile terminal, transmitting the key token to nearby wireless devices associated with electrically operated door locks whereby, on receiving the appropriate key token, the arrival of the user is registered in the hotel reservation/IT system, and the door lock wireless device of the reserved room unlocks the door"}.

As for claim 4, BRONDRUP discloses the a service management method, for hotel facilities, which operates in conjunction with a lodging management system for the management of information about the guests of the hotel from the registration at the check-in to the account at the check-out, the method comprising:

a room-number-input step of obtaining and inputting the room number of a guest when the guest visits the hotel facility {Page 4, Paragraph [0061], Lines 3-6, wherein this reads over "The WAP hotel room reservation service may, upon or in conjunction

with confirmation of the reservation, send a message to the phone, including the hotel room number"};

a lodging management system conjunction step of transmitting the room number of the guest to a lodging management system to obtain the information about the guest concerned {Page 4, Paragraph [0061], Lines 6-9, wherein this reads over "even before the arrival at the hotel, the customer may know which room he/she has been assigned, and is then able go directly to the room without having to make a check-in at the reception desk of the hotel"}; and

a service indication step of comparing a service management table for the management of the attributes of the services of the hotel facilities and for the management of the availabilities of the hotel facilities, with the guest's own attributes in the information about the guest which has been obtained from the lodging management system, and of indicating a service suitable for the guest's attributes {Page 4, Paragraph [0052], Lines 3-6, wherein this reads over "Using a wireless application reservation service for flight tickets combined with the use of the Bluetooth technology, the customer will not need a flight ticket, and the Bluetooth phone could even be the "boarding pass" letting the traveler through the boarding gate of an airport"}.

As for claim 5, BRONDRUP discloses the service management method for hotel facilities as set forth in claim 4 further comprising an account-with-hotel-charge step of transmitting the room number of the guest obtained when the guest visits the hotel facility, in the case in which the facility charge is paid with the hotel charge at the check-out, to the lodging management system with the data of the facility charge to be paid

with the hotel charge {Page 2, Paragraph [0026], Lines 31-43, wherein this reads over "for user check-out from the hotel, the additional steps of a user, by means of the mobile terminal, connecting to a hotel search and reservation/booking server, and, while connected to the hotel search and reservation/booking server, communicating to the hotel reservation/IT system a check-out request, receiving therefrom bill information, sending thereto a bill acceptance, receiving from a payment server a payment authorization request, sending thereto a payment authorization response, and by the hotel reservation/IT system, upon receiving a payment verification, sending a key token deactivation message to the door lock associated wireless device of the reserved room"}.

As for claim 6, BRONDRUP discloses the service management method for hotel facilities as set forth in claim 4 further comprising a facility information transmission step of transmitting the service availability information about the hotel facility to the indicating devices in the guest rooms and the lobby, and to the home page of the hotel, from the service management table of the hotel facility {Page 2, Paragraph [0026], Lines 21-30, wherein this reads over "transmitting from the hotel reservation/IT system the key token to a wireless device associated with a door lock of the reserved hotel room, and, upon arrival at the hotel of the user carrying the mobile terminal, wirelessly, by means of the wireless device of the mobile terminal, transmitting the key token to nearby wireless devices associated with electrically operated door locks whereby, on receiving the appropriate key token, the arrival of the user is registered in the hotel reservation/IT system, and the door lock wireless device of the reserved room unlocks the door"}.

As for claim 7, BRONDRUP discloses a service management apparatus for hotel facilities, which operates in conjunction with a lodging management system for the management of information about the guests of the hotel from the registration at the check-in to the account at the check-out, the apparatus comprising:

a room-number-input means for obtaining and inputting the room number of a guest when the guest visits the hotel facility {Page 4, Paragraph [0061], Lines 3-6, wherein this reads over "The WAP hotel room reservation service may, upon or in conjunction with confirmation of the reservation, send a message to the phone, including the hotel room number"};

a lodging management system conjunction means for transmitting the room number of the guest to a lodging management system to obtain the information about the guest concerned {Page 4, Paragraph [0061], Lines 6-9, wherein this reads over "even before the arrival at the hotel, the customer may know which room he/she has been assigned, and is then able go directly to the room without having to make a check-in at the reception desk of the hotel"}; and

a service indication means for comparing a service management table for the management of the attributes of the services of the hotel facilities and for the management of the availabilities of the hotel facilities, with the guest's own attributes in the information about the guest which has been obtained from the lodging management system, and for indicating a service suitable for the guest's attributes {Page 4, Paragraph [0052], Lines 3-6, wherein this reads over "Using a wireless application reservation service for flight tickets combined with the use of the Bluetooth technology,

the customer will not need a flight ticket, and the Bluetooth phone could even be the "boarding pass" letting the traveler through the boarding gate of an airport"}.

As for claim 8, BRONDRUP discloses a computer readable recording medium for recording a service management program for hotel facilities, which operates in conjunction with a lodging management system for the management of information about the guests of the hotel from the registration at the check-in to the account at the check-out, the program:

a room-number-input step of obtaining and inputting the room number of a guest when the guest visits the hotel facility {Page 4, Paragraph [0061], Lines 3-6, wherein this reads over "The WAP hotel room reservation service may, upon or in conjunction with confirmation of the reservation, send a message to the phone, including the hotel room number"};

a lodging management system conjunction step of transmitting the room number of the guest to a lodging management system to obtain the information about the guest concerned {Page 4, Paragraph [0061], Lines 6-9, wherein this reads over "even before the arrival at the hotel, the customer may know which room he/she has been assigned, and is then able go directly to the room without having to make a check-in at the reception desk of the hotel"}; and

a service indication step of comparing a service management table for the management of the attributes of the services of the hotel facilities and for the management of the availabilities of the hotel facilities, with the guest's own attributes in the information about the guest which has been obtained from the lodging management

system, and of indicating a service suitable for the guest's attributes {Page 4, Paragraph

[0052], Lines 3-6, wherein this reads over "Using a wireless application reservation

service for flight tickets combined with the use of the Bluetooth technology, the

customer will not need a flight ticket, and the Bluetooth phone could even be the

"boarding pass" letting the traveler through the boarding gate of an airport"}.

### Conclusion

11.    The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

I.     <u>U.S. Patent:</u>

1)    U.S. Patent Application Publication No. 2002/0069094 (BINGHAM ET AL)

       is cited to teach system and method of reserving meeting facility

       resources,

2)    U.S. Patent No. 6,446,045 (STONE ET AL) is cited to teach method for

       using computers to facilitate and control the creating of a plurality of

       functions, and

3)    U.S. Patent No. 5,948,040 (DELORME ET AL) is cited to teach travel

       reservation information and planning system.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Cang (James) G. Thai whose telephone number is (571)

272-6499. The examiner can normally be reached on 6:30 AM - 3:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Weiss can be reached on (571) 272-6812. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

CGT
03/04/06

ERIC W. STAMBER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600